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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/023,544

12/17/2001

Michael John Branson

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11/16/2005

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EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,544

Applicant(s)

BRANSON ET AL

Examiner

John B. Walsh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment of 8/31/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7,9-19,24,25,27,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7,9-19,24,25,27,29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 5, 7, 9-19, 24, 25, 27, 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,838,918 to Prager et al.

As concerns claim 1, a computer system comprising: at least one processor (figure 4; computers inherently have a processor); a memory (figure 4; computers inherently have memory) coupled to the at least one processor; a network interface (figure 4; computers connected via a network, therefore the computers inherently have a network interface) coupled to the at least one processor, the network interface coupling the computer system to a plurality of other computer systems via a network (figure 4); an object oriented framework (abstract, line 15) mechanism residing in the memory and executed by the at least one processor, the framework mechanism comprising a cloning mechanism that replicates configuration data for a model computer system to at least one of the plurality of other computer systems (abstract, lines 5+); wherein the cloning mechanism comprises a first portion (system files, read only, column 10, line 39) that cannot be modified by a user and a second portion (executable files) that is extensible by the user; and wherein: the first portion comprises a model class that defines a model object that corresponds to the model computer system and that contains the configuration data for the model computer system (column 15, line 25); the second portion comprises a

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system aspect class that defines at least one system aspect object that defines at least one attribute of a computer system (column 12, lines 8-11, lines 62-64); and the configuration data in the model object comprises a collection of system aspect objects (abstract).

As concerns claim 4, wherein configuration data is defined by a user (column 7, lines 6-9) using a graphical user interface (figure 4, computers have a graphical user interface; column 10, line 7).

As concerns claim 5, wherein the configuration data corresponds to configuration data in a selected one of the plurality of other computer systems that is selected by a user (column 7, lines 6-9).

As concerns claim 7, wherein the at least one attribute is selected from the group comprising: user IDs, file system, database, network configuration, environment variables, software products, fixes, hardware, and performance controls (column 7, lines 6-9).

As concerns claim 9, wherein the first portion further comprises a system replicator class that defines at least one system replicator object that compares the configuration data in the model object to configuration data from at least one of the plurality of other computer systems, and that replicates the configuration data from the model object to the at least one of the plurality of other computer systems (abstract, line 13- updates).

As concerns claim 10, a computer system comprising: at least one processor (figure 4, computers inherently have a processor); a memory (figure 4, computers inherently have memory) coupled to the at least one processor; an object oriented framework mechanism (abstract, line 15) residing in the memory and executed by the at least one processor, the framework mechanism comprising: at least one object oriented model class that cannot be modified by a user (system files, read only; column 10, lines 28-29, column 10, line 39), the

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model class defining at least one model object that defines configuration data (abstract) for a model computer system; at least one system aspect class that is extensible by a user, the system aspect class defining at least one system aspect object that defines at least one attribute of a computer system (column 12, lines 8-11, lines 62-64), wherein the configuration data in the model object comprises a collection of system aspect objects (abstract); and at least one system replicator class that cannot be modified by a user (system files, read only, column 10, line 39), the system replicator class defining at least one system replicator object that compares the configuration data in the model object to configuration data from at least one selected computer system, and that replicates the configuration data from the model object to the at least one selected computer system (abstract, line 13- updates; column 10, lines 35-36).

As concerns claim 11, a method for changing the configuration of at least one selected computer system on a network, the method comprising the steps of: (1) providing an object oriented framework mechanism comprising a cloning mechanism that replicates configuration data for a model computer system to at least one selected computer system (abstract, line 15); wherein the cloning mechanism comprises a first portion (system files, read only, column 10, line 39) that cannot be modified by a user and a second portion (executable files) that is extensible by the user; and wherein: the first portion comprises a model class that defines a model object that corresponds to the model computer system and that contains the configuration data for the model computer system (column 15, line 25); the second portion comprises a system aspect class that defines at least one system aspect object that defines at least one attribute of a computer system (column 12, lines 8-11, lines 62-64); and the configuration data in the model object comprises a collection of system aspect objects (abstract);

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(2) extending at least one extensible portion of the framework mechanism to define at least one system aspect object for each selected computer system (column 12, lines 8-11, lines 62-64); (3) executing the extended framework mechanism (column 15, line 24, abstract); (4) defining configuration data for a model computer system (abstract, column 12, lines 59-65); and (5) the executing framework mechanism updating configuration data for each selected computer system according to the defined configuration data for the model computer system (column 10, line 35, abstract, line 13).

As concerns claim 12, the method of claim 11 wherein the executing framework mechanism compares the configuration data for each selected computer system with the defined configuration data for the model computer system to determine for which selected computer system step (5) is required (abstract, line 13, column 10, lines 35-36).

As concerns claim 13, the method of claim 11 wherein step (4) comprises the step of a user defining the at least one system aspect object using a graphical user interface (column 10, line 7, figure 4).

As concerns claim 14, the method of claim 11 wherein step (4) comprises the step of a user selecting one computer system on the network as the model computer system, wherein the configuration data for the selected one computer system is the source of configuration data for the model computer system (column 4, line 63- column 5, line 7).

As concerns claim 15, a method for changing the configuration of at least one selected computer system on a network, the method comprising the steps of: (1) providing an object oriented framework mechanism comprising: (1A) a model class that cannot be modified by a user (system files, read only, column 10, line 39), the model class defining at least one model object that defines configuration data for a model computer system (abstract, column 4, line

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65); (1B) a system aspect class that is extensible by a user, the system aspect class defining at least one system aspect object that defines at least one attribute of a computer system, wherein the configuration data in the model object comprises a collection of system aspect objects (column 12, lines 8-11, lines 62-64); and (1C) a system replicator class that cannot be modified by a user, the system replicator class defining at least one system replicator object that compares the configuration data in the model object to configuration data from at least one selected computer system, and that replicates the configuration data from the model object to the at least one selected computer system (abstract, line 13-updates, column 10, lines 35-36); (2) extending the system aspect class of the framework mechanism to define at least one system aspect for each selected computer system (column 12, lines 8-11, lines 62-64); (3) executing the extended framework mechanism (column 15, line 24, abstract); (4) defining configuration data for a model computer system (abstract, column 12, lines 59-65); and (5) the executing framework mechanism updating configuration data for each selected computer system according to configuration data in the model object (column 10, line 35, abstract, line 13).

As concerns claim 16, the method of claim 15 wherein the executing framework mechanism compares the configuration data for each selected computer system with the defined configuration data for the model computer system to determine for which selected computer system step (5) is required (abstract, line 13; column 10, lines 35-36).

As concerns claim 17, the method of claim 15 wherein step (4) comprises the step of a user defining at least one system aspect using a graphical user interface (column 10, line 7, figure 4).

As concerns claim 18, the method of claim 15 wherein step (4) comprises the step of a user selecting one computer system on the network as the model computer system (column 4,

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line 63- column 5, line 7), wherein the configuration data for the selected one computer system is the source of configuration data for the model computer system (abstract, configuration data copied from one computer to another).

As concerns claim 19, a program product comprising: (1) an object oriented framework mechanism (abstract, line 15) comprising a cloning mechanism that replicates configuration data for a model computer system to at least one of the plurality of other computer systems (abstract, line 13); wherein the cloning mechanism comprises a first portion (system files, read only, column 10, line 39) that cannot be modified by a user and a second portion (executable files) that is extensible by the user; and wherein: the first portion comprises a model class that defines a model object that corresponds to the model computer system and that contains the configuration data for the model computer system (column 15, line 25); the second portion comprises a system aspect class that defines at least one system aspect object that defines at least one attribute of a computer system (column 12, lines 8-11, lines 62-64); and the configuration data in the model object comprises a collection of system aspect objects (abstract); and (2) recordable computer readable signal bearing media bearing the framework mechanism (figure 4, computers inherently have memory).

As concerns claim 24, wherein the configuration data is defined by a user using a graphical user interface (column 10, line 7, figure 4).

As concerns claim 25, wherein the configuration data corresponds to configuration data in a selected one of the plurality of other computer systems that is selected by a user (abstract, configuration data copied from one computer to another, user subscribes).

As concerns claim 27, wherein the at least one attribute is selected from the group comprising: user IDs, file system, database, network configuration, environment variables, software products, fixes, hardware, and performance controls (column 7, lines 1-9).

As concerns claim 29, the program product of claim 22 wherein the first portion comprises a system replicator class that defines at least one system replicator object that compares the configuration data in the model object to configuration data from at least one of the plurality of other computer systems, and that replicates the configuration data from the model object to the at least one of the plurality of other computer systems (abstract, line 13-updates).

As concerns claim 30, a program product comprising: (1) an object oriented framework mechanism comprising: (1A) at least one object oriented model class that cannot be modified by a user (system files, read only, column 10, line 39), the model class defining at least one model object that defines configuration data for a model computer system (abstract, column 4, line 65); (1B) at least one system aspect class that is extensible by a user, the system aspect class defining at least one system aspect object that defines at least one attribute of a computer system (column 12, lines 8-11; lines 62-64), wherein the configuration data in the model object comprises a collection of system aspect objects (abstract, lines 15-16, column 12, lines 8-11; lines 62-64); and (1C) at least one system replicator class that cannot be modified by a user, the system replicator class defining at least one system replicator object that compares the configuration data in the model object to configuration data from at least one selected computer system, and that replicates the configuration data from the model object to the at least one selected computer system (abstract, line 13-updates, column 10, lines 35-36); and (2)

recordable computer readable signal bearing media bearing the framework mechanism (figure 4; computers inherently have memory).

Response to Arguments

3. Applicant's arguments filed August 31, 2005 have been fully considered but they are not persuasive.

The applicant has argued Prager does not disclose the concepts of framework, classes that cannot be modified by a user, and classes that are extensible by the user. Prager discloses object-oriented programming to define classes and objects (abstract, lines 15-16). Furthermore, Prager discloses the invention can be implemented using an object-oriented programming language such as C++ (column 5, line 67-column 6, line 12), which inherently provides for private and public objects and classes, wherein private classes cannot be modified by a user and public objects are extensible by a user. Prager discloses the need for security, which is controlled by designating who has access to particular items, such as public or private (column 2, lines 34-35; column 9, lines 15-20; column 10, lines 33-41).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

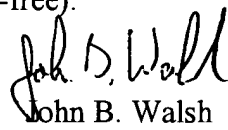
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Wednesday from 5:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John B. Walsh
Primary Examiner
Art Unit 2151